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REMARKS

Claims 1, 3, 5-7 and 10 are currently pending in this application and amended herein with claims 2, 4, 8 and 9 cancelled. No new matter is added by these amendment.

In the office action claims 2, 4-6, 8 and 9 are rejected under 35 U.S.C. § 112, second paragraph for lack of antecedent basis issues. In response these claims have been cancelled or amended to insert proper antecedent basis. Withdrawal of the rejections is requested.

On the merits, independent claims 1 and 7 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,537,393 to Shioda. Independent claim 10 is rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Published Patent Application No. 2000/0046207 to Isonuma. Claims 2-6, 8 and 9 are rejected under 35 U.S.C. § 103(a) as unpatentable over Shioda in view of U.S. Published Patent Application No. 2002/0186719 to Spires.

With respect to claims 1 and 7, as best understood Shioda teaches an STS path Squelch in STS BLSR, and discloses that Z4 and Z5 bytes, that are located in an unused overhead OH, are used to transmit a source ID. The source ID is compared with an expected ID at a receiving node to perform STS Path Squelch operation.

In contrast, as amended, claims 1 and 7 are directed to VT Path Squelch in VT BLSR. Squelch operations are performed by using a vacant frame byte of a V3 byte, which is VT Path OH. Shinoda fails to teach a VT Path Squelch operation. Accordingly, claims 1 and 7 patentably distinguish over Shinoda and are allowable.

With respect to claim 10, as best understood, Isonuma teaches a Squelch determining method using a Squelch Table and Far end Node ID. However, Isonuma fails to teach the addition of an ID at and transmitted from an ADD-side node is received and compared with an expected value at a Drop-side node. This configuration, as claimed in claim 10, allows for
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operation of squelch for each VT path despite multiple failures without using any squelch table.

Accordingly, it is submitted that claim 10 patentably distinguishes over the relied upon portions of Isonuma and is allowable.

With respect to the rejection of claims 2-6, 8 and 9, claims 2, 4, 8 and 9 are now cancelled and their recitations incorporated into claims 1 and 7 respectively. Thus, as amended, independent claims 1 and 7 now recite the use of V3 or H3 bytes for three frames to transmit a Flag bit and a channel ID enabling TSI operation at a pass through node. It is respectfully submitted that neither Shinoda nor Spires teaches such features either singularly or in combination. Accordingly, as amended, claims 1 and 7 patentably distinguish over the relied upon portions of the cited references and are allowable. Claims 3, 5, and 6 are allowable therewith.

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Conclusion

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper, not fully covered by an enclosed check, may be charged on Deposit Account 50-1290.

Respectfully submitted,



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